

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 46145 of 2014

Arising Out of Complaint Case No.-232 Year-2014 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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1. Janardan Singh, Son of Late Shiv Prit Singh.
 2. Krishna Singh Son of Late Tej Narain Singh.
 3. Binod Singh Son of Ram Ganesh Singh.
 4. Vijay Singh Son of Late Narain Singh.

All resident of Village - Ram Nagar, P.S. - Dawath, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Singh Son of Late Butan Singh, resident of Village - Ram Nagar, P.S. -
Dawath, District - Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Advocate

For the Opposite Party/s : None

For the State : Mr. Mustaque Alam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 01-02-2019

Heard learned counsel for the petitioners and learned
A.P.P. for the State. Despite service of notice on opposite party no.
2, nobody appeared when the matter was taken up and heard.



2. The petitioners have moved the Court under Section 482 of the Code of Criminal Procedure, 1972 for the following relief:

“That this is an application for quashing the order dated 23.05.2014 passed by Sri Rajesh Pandey, Judicial Magistrate, Ist Class, Bikramganj (Rohtas) by which learned Court (Judicial Magistrate) has taken cognizance against the petitioners under Sections 323, 379, 504 I.P.C. in Complaint Case No. 232/2014, Trial No. 451/2014 without application of his judicial mind.”

3. Though cognizance has also been taken in the complaint case, but learned counsel for the petitioners submitted that as per his instructions, the matter has been compromised between the parties and only because of the Sections under which cognizance has also been taken, the parties are unable to get the matter disposed off before the Court below.

4. As nobody appeared on behalf of the opposite party no. 2 to oppose the application, the Court finds that it may be indicative of the compromise between the parties, as has been submitted by learned counsel for the petitioners.

5. In view of the aforesaid, for securing the ends of justice, the Court finds that the criminal case requires to be finally concluded.

6. Accordingly, the application is allowed. The entire criminal proceeding arising out of Complaint Case No. 232 of



2014 (Trial No. 451 of 2014), including the order taking cognizance dated 23.05.2014, as far as it relates to the petitioners, stand quashed.

(Ahsanuddin Amanullah, J)

P. Kumar

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